

**REMARKS**

In the Office Action<sup>1</sup>, the Examiner rejected claims 2-4, 7, 11-13, 16, 20-22, 25, and 28 under 35 U.S.C. § 112; rejected claim 28 under 35 U.S.C. § 101; rejected claims 1, 7-10, 16-19, and 25-27 under 35 U.S.C. § 102(e) as being anticipated by United States Patent No. 6,831,018 to Fisher; and rejected claims 2-5, 11-14, and 20-23 as being unpatentable over Fisher in view of applicant admitted prior art.

By this amendment, Applicants amend claims 1-5, 7-14, 16-23 and 25-28 and cancel withdrawn claims 6, 15 and 24. Claims 1-5, 7-14, 16-23 and 25-28 remain pending.

Applicants respectfully traverse the rejections of claims 2-4, 7, 11-13, 16, 20-22, 25, and 28 under 35 U.S.C. § 112, second paragraph. The amended claims are clear and definite, and Applicants respectfully request the Examiner withdraw the rejection.

Applicants respectfully traverse the rejection of claim 28 under 35 U.S.C § 101 as being directed to non-statutory subject matter. To expedite prosecution, Applicants have amended independent claim 28 to recite, "A computer-readable medium, storing a computer program for causing a processor to execute a method." Independent claim 28 is directed to statutory subject matter, and Applicants respectfully request the Examiner withdraw the rejection.

Applicants respectfully traverse the rejection of claims 1, 7-10, 16-19, and 25-27 under 35 U.S.C. § 102(e) as being anticipated by Fisher.

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<sup>1</sup> The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicant declines to automatically subscribe to any statement or characterization in the Office Action.

Independent claim 1 recites a device-to-device authentication system comprising: "local environment management means for determining when a home network of a first device and a home network of a second device are the same home network by comparing a source media access control address to the media access control address of the default gateway." Fisher fails to teach the claimed local environment management means.

Fisher discloses a method of routing IP packets. Figure 3 of Fisher shows the structure of an IP packet which includes: a source MAC address field, a source IP address field, a default gateway MAC address field, and a destination IP address field. Col. 6, lines 22-27. When a packet is received from a device in the network, the destination IP address is compared with the IP addresses in the routing table. Col. 7, lines 11-15. ~~If there is not a match, the packet is routed to the external network. If there~~ is a match, the router replaces the default gateway MAC address in the IP data packet with the Ethernet address from the routing table that corresponds to the destination IP address and is placed back on the in-home network. Col 7 lines 25-34.

Accordingly, Fisher does not teach or suggest a device-to-device authentication system comprising: "local environment management means for determining when a home network of a first device and a home network of a second device are the same home network by comparing a source media access control address to the media access control address of the default gateway." Fisher fails to anticipate claim 1.

Independent claims 10, 19, and 28 and dependent claims 2-5, 11-14, and 20-23, while different in scope than claim 1, are not anticipated for at least the same reasons as claim 1.

Independent claim 7 recites a device-to-device authentication system, "wherein the home network of the first device and the home network of the second device are determined to be the same home network when the comparison determines the information identifying the home network of the first device and the identification information identifying the home network of the second device are the same." Fisher fails to teach the claimed determining means.

Fisher does not teach or suggest a device-to-device authentication system, "wherein the home network of the first device and the home network of the second device are determined to be the same home network when the comparison determines the information identifying the home network of the first device and the identification information identifying the home network of the second device are the same." Fisher fails to anticipate claim 7.

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Independent claims 16 and 25 and dependent claims 28-9, 17-18, and 26-27, while different in scope than claim 7, are not anticipated for at least the same reasons as claim 7.

In view of the foregoing amendments and remarks, Applicant respectfully requests reconsideration of this application and the timely allowance of the pending claims.

Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 06-0916.

Respectfully submitted,

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GARRETT & DUNNER, L.L.P.

Dated: June 23, 2008

By:

A handwritten signature in black ink, appearing to read "Michael R. Kelly", is written over a horizontal line.

Michael R. Kelly  
Reg. No. 33,921